

263.068857

RES/cjs
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DALE JENSEN, Special Administrator of the)	
Estate of SHIRLEY JENSEN,)	
	)	Civil Action No.
Plaintiff,	)	Circuit Court of Cook County
	)	10 L 013383
v.)	
	)	Honorable Judge:
SUNRISE SENIOR LIVING SERVICES,)	
INC., d/b/a BRIGHTON GARDENS AT	)	Magistrate Judge:
ORLAND PARK,)	
)	
Defendant.)	

NOTICE OF REMOVAL

NOW COME, the Defendant, SUNRISE SENIOR LIVING SERVICES, INC., by and through its attorneys, PRETZEL & STOUFFER, CHARTERED, and hereby removes this civil action being case number 10 L 013383 from the Circuit Court of Cook County, Illinois, Law Division to the United States District Court for the Northern District of Illinois, Eastern Division, pursuant to 28 USC §1441 and 1332. In support thereof, the Defendant states as follows:

1. This action was filed in The Circuit Court of Cook County, State of Illinois on November 23, 2010. (A copy of the Complaint at Law and Summons are attached hereto and incorporated herein as "**Exhibit 1**"). A copy of the Complaint was served upon the Defendant, Sunrise Senior Living Services, Inc., on December 2, 2010. This notice is filed within 30 days after service of the Complaint upon the Defendant.

2. Any civil action brought in a state court of which the District Courts of the United States have original jurisdiction may be removed by the defendant to the District Court of the United States for the district and division embracing the place where such action is pending. 28 USC §§1441.

3. The District Courts shall have original jurisdiction of all civil actions where the amount in controversy exceeds \$75,000.00, exclusive of interest and costs, and where there is complete diversity. 28 USC §1332. There is complete diversity when, at the time that the action was commenced, every plaintiff is of diverse citizenship as every defendant. Id.

4. At the time the action was commenced, Plaintiff, Dale Jensen, was a citizen of the State of Illinois. The Defendant, Sunrise Senior Living Services, Inc., was a Delaware corporation with its principal place of business in Virginia.

5. The amount in controversy could exceed \$75,000.00, exclusive of interest and costs. Plaintiff contends that Defendant's alleged negligence caused Shirley Jensen to suffer a fall and a fractured ankle, which in turn caused her to suffer a deterioration of her physical and mental condition. Plaintiff has alleged that they are entitled to personal and pecuniary damages, including pain, suffering, medical expenses, disfigurement and mental anguish. Plaintiff has also alleged that the alleged negligence proximately caused the death of Shirley Jensen. Based on this information, there is a good faith basis to assert that the amount in controversy could exceed the jurisdictional amount.

6. Therefore, the United States District Courts have original jurisdiction for this civil action under 28 USC §1332 because there is complete diversity and the amount in controversy exceeds \$75,000.00, exclusive of interest and costs.

7. This Notice of Removal is filed in the United States District Court for the Northern District of Illinois, Eastern Division, which is the district and division in which the State action is pending.

8. The Defendant has attached to this Notice copies of process and pleadings that have

been served upon it.

WHEREFORE, the Defendant, SUNRISE SENIOR LIVING SERVICES, INC., by and through its attorneys, PRETZEL & STOUFFER, CHARTERED, pray that this cause be removed to the United States District Court for the Northern District of Illinois, Eastern Division.

Respectfully submitted,

/s/Robert E. Sidkey
PRETZEL & STOUFFER, CHARTERED
One S. Wacker Drive
Suite 2500
Chicago, IL 60606
Telephone: (312) 578-7489
Fax: (312) 346-8242
rsidkey@pretzel-stouffer.com
Attorney for Defendant

FILED
10 NOV 23 PM 12:15
CLERK OF COURT
COOK COUNTY
ORLAND PARK

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION**

**DALE JENSEN, Special Administrator
of Estate of SHIRLEY JENSEN,**

Plaintiff,

vs.

**SUNRISE SENIOR LIVING SERVICES
INC. d/b/a BRIGHTON GARDENS
AT ORLAND PARK,**

Defendant.

NO.

2010.013383
CALENDAR/BOOK F
TIME 00:00
Medical Malpractice

COMPLAINT AT LAW

NOW COMES the Plaintiff, DALE JENSEN, Special Administrator of the Estate of SHIRLEY JENSEN ("JENSEN"), by her attorneys, O'CONNOR LAW GROUP LLC, and complaining of Defendant SUNRISE SENIOR LIVING SERVICES, INC. d/b/a BRIGHTON GARDENS AT ORLAND PARK ("BRIGHTON GARDENS"), states as follows:

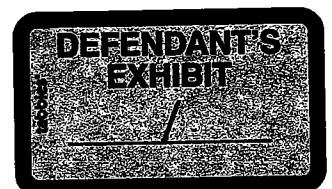
**COUNT I
SURVIVAL ACTION
JENSEN v. BRIGHTON GARDENS AT ORLAND PARK**

1. This count of this action is brought on behalf of the Estate of SHIRLEY JENSEN, deceased, as a "survival action" pursuant to 755 ILCS § 5/27-6, in the name of DALE JENSEN, the Special Administrator for the Estate of SHIRLEY JENSEN, deceased.

2. DALE JENSEN was appointed Special Administrator of the Estate of SHIRLEY JENSEN, deceased, by order of the Circuit Court Clerk of Cook County, for the purpose of bringing this action.

3. At all relevant times, the Decedent SHIRLEY JENSEN was a resident of the City of Chicago, County of Cook, and State of Illinois.

4. At all times mentioned herein Defendant SUNRISE SENIOR LIVING SERVICES,



INC. was a corporation doing business in Cook County, Illinois, which operated and was the licensee of an assisted living health establishment known as Brighton Gardens at Orland Park, located at 16051 S. LaGrange Road, Orland Park, Illinois.

5. In 2009 and 2010, the Decedent SHIRLEY JENSEN was a resident of BRIGHTON GARDENS.

6. Defendant BRIGHTON GARDENS hired and employed nurses, nurses' aides, housekeepers, orderlies, and other employees in the operation of its business as an assisted living establishment.

7. Upon admission to BRIGHTON GARDENS, the Decedent SHIRLEY JENSEN was dependent upon staff at the facility for assistance with activities of daily living including, but not limited to transferring and bed mobility.

8. While a resident at Defendant BRIGHTON GARDENS, the Decedent SHIRLEY JENSEN suffered from diagnoses including spondylosis, hip replacement, knee replacement, degenerative joint disease, and obesity.

9. During her residency at Defendant BRIGHTON GARDENS, the Decedent SHIRLEY JENSEN required the use of a wheelchair; Defendant BRIGHTON GARDENS ordered that the Decedent SHIRLEY JENSEN required two person transfers due to her inability to bear weight.

10. On or about February 2, 2010, an employee of Defendant BRIGHTON GARDENS, while transferring the Decedent SHIRLEY JENSEN from her wheelchair to her bed, dropped the Decedent and/or caused the Decedent to suffer disabling injuries to her right leg.

11. At all relevant times, the Defendant BRIGHTON GARDENS, by and through its staff, including its employees, agents, and/or apparent agents, was under a duty to possess and apply the knowledge and use the skill and care ordinarily used by reasonably well qualified nurses and

staff personnel with regard to the care and treatment provided to the Decedent SHIRLEY JENSEN.

12. Defendant BRIGHTON GARDENS, pursuant to the Assisted Living and Shared Housing Act, 210 ILCS 9/95, had a duty to ensure that the Decedent SHIRLEY JENSEN was free from neglect.

13. Defendant BRIGHTON GARDENS, by its agents and employees, breached its duty and was negligent by the following acts or omissions:

- (a) Performed a 1 person assist while attempting to transfer the Decedent from her wheelchair to her bed when the resident required a 2 person assist;
- (b) Failed to comply with the Decedent's Individual Service Plan for proper resident transfer which required a 2 person assist;
- (c) Failed to comply with the Decedent's Service Plan which stated that she required a 2 person transfer;
- (d) Allowed the Decedent to fall causing injury to her right leg;
- (e) Failed to adequately train Defendant's staff;
- (f) Deprived the Decedent of her resident rights, specifically her right to be free from neglect, pursuant to 210 ILCS 9/95;
- (g) Violated Defendant's own policies and procedures regarding care, supervision, and transferring of residents;
- (h) Was otherwise careless and negligent.

11. As a proximate result of the one or more of these acts of neglect, the Decedent SHIRLEY JENSEN sustained serious injuries, suffered pain and other damages, and otherwise suffered a deterioration of her physical and mental condition.

WHEREFORE, the Plaintiff, DALE JENSEN, Special Administrator of the Estate of SHIRLEY JENSEN, demands judgment against the Defendant, SUNRISE SENIOR LIVING d/b/a BRIGHTON GARDENS AT ORLAND PARK, in an amount which a court and jury deem fair and reasonable, but in excess of \$50,000.00.

COUNT II
WRONGFUL DEATH ACTION
JENSEN v. BRIGHTON GARDENS AT ORLAND PARK

12. This matter is brought pursuant to the Wrongful Death Act of the State of Illinois, 740 ILCS § 180/1 et seq.

14. DALE JENSEN was appointed Special Administrator of the Estate of SHIRLEY JENSEN, deceased, by order of the Circuit Court Clerk of Cook County, for the purpose of bringing this action.

15. At all relevant times, the Decedent SHIRLEY JENSEN was a resident of the City of Chicago, County of Cook, and State of Illinois.

16. At all times mentioned herein Defendant SUNRISE SENIOR LIVING SERVICES, INC. was a corporation doing business in Cook County, Illinois, which operated and was the licensee of an assisted living health establishment known as Brighton Gardens at Orland Park, located at 16051 S. LaGrange Road, Orland Park, Illinois.

17. In 2009 and 2010, the Decedent SHIRLEY JENSEN was a resident of BRIGHTON GARDENS.

18. Defendant BRIGHTON GARDENS hired and employed nurses, nurses' aides, housekeepers, orderlies, and other employees in the operation of its business as an assisted living establishment.

19. Upon admission to BRIGHTON GARDENS, the Decedent SHIRLEY JENSEN was dependent upon staff at the facility for assistance with activities of daily living including, but not limited to transferring and bed mobility.

20. While a resident at Defendant BRIGHTON GARDENS, the Decedent SHIRLEY JENSEN suffered from diagnoses including spondylosis, hip replacement, knee replacement, degenerative joint disease, and obesity.

21. During her residency at Defendant BRIGHTON GARDENS, the Decedent SHIRLEY JENSEN required the use of a wheelchair; Defendant BRIGHTON GARDENS ordered that the Decedent SHIRLEY JENSEN required two person transfers due to her inability to bear weight.

22. On or about February 2, 2010, an employee of Defendant BRIGHTON GARDENS, while transferring the Decedent SHIRLEY JENSEN from her wheelchair to her bed, dropped the Decedent and/or caused the Decedent to suffer disabling injuries to her right leg.

23. At all relevant times, the Defendant BRIGHTON GARDENS, by and through its staff, including its employees, agents, and/or apparent agents, was under a duty to possess and apply the knowledge and use the skill and care ordinarily used by reasonably well qualified nurses and staff personnel with regard to the care and treatment provided to the Decedent SHIRLEY JENSEN.

24. Defendant BRIGHTON GARDENS, pursuant to the Assisted Living and Shared Housing Act, 210 ILCS 9/95, had a duty to ensure that the Decedent SHIRLEY JENSEN was free from neglect.

25. Defendant BRIGHTON GARDENS, by its agents and employees, breached its duty and was negligent by the following acts or omissions:

- (a) Performed a 1 person assist while attempting to transfer the Decedent from her wheelchair to her bed when the resident required a 2 person assist;
- (b) Failed to comply with the Decedent's Individual Service Plan for proper resident transfer which required a 2 person assist;
- (c) Failed to comply with the Decedent's Service Plan which stated that she required a 2 person transfer;
- (d) Allowed the Decedent to fall causing injury to her right leg;
- (e) Failed to adequately train Defendant's staff;
- (f) Deprived the Decedent of her resident rights, specifically her right to be free from neglect, pursuant to 210 ILCS 9/95;

(g) Violated Defendant's own policies and procedures regarding care, supervision, and transferring of residents;

(h) Was otherwise careless and negligent.

11. As a direct and proximate result of one or more of the aforementioned acts and/or omissions of the Defendant, the Decedent, SHIRLEY JENSEN, was caused to suffer a debilitating condition resulting in her death on February 6, 2010.

12. The Decedent SHIRLEY JENSEN left the following heirs and next of kin:

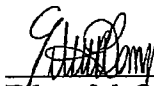
(a) Dale J. Jensen (son)

(b) Marlene R. Pickosz (daughter)

18. As a proximate result of the wrongful death of SHIRLEY JENSEN, her heirs and next of kin sustained a substantial pecuniary loss, including the loss of her society, love and companionship. Additionally, the Decedent's heirs suffered pecuniary injuries resulting from Decedent's death, including grief, sorrow, and mental suffering.

19. Plaintiff also makes a claim for the decedent's final medical expenses and her funeral expenses pursuant to *Saunders v Schultz*, 20 Ill. 2d. 301.

WHEREFORE, the Plaintiff DALE JENSEN, Special Administrator of the Estate of SHIRLEY JENSEN, demands judgment against the Defendant, SUNRISE SENIOR LIVING d/b/a BRIGHTON GARDENS AT ORLAND PARK, in an amount which a court and jury deem fair and reasonable, but in excess of \$50,000.00.



Eileen M. O'Connor
One of the Attorney's for Plaintiff

O'CONNOR LAW GROUP, LLC
221 N. LaSalle Street
Suite 1050
Chicago, IL 60601
(312) 236-1814
Attorney Code #46573



**Service of Process
Transmittal**

12/02/2010

CT Log Number 517687520

TO: Kimberly Wilburn
Sunrise Senior Living, Inc.
7900 Westpark Drive, Suite T900
McLean, VA 22102

RE: Process Served in Illinois

FOR: Sunrise Senior Living Services, Inc. (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Dale Jensen, Special Administrator of Estate of Shirley Jensen, Pltf. vs. Sunrise Senior Living Services Inc., etc., Dft.
Name discrepancy noted.

DOCUMENT(S) SERVED: Summons (2 sets), Petition

COURT/AGENCY: Cook County Circuit Court - County Department - Law Division, IL
Case # 2010L013383

NATURE OF ACTION: Wrongful Death - Improper Care and Treatment - 02/06/10

ON WHOM PROCESS WAS SERVED: C T Corporation System, Chicago, IL

DATE AND HOUR OF SERVICE: By Process Server on 12/02/2010 at 10:30

APPEARANCE OR ANSWER DUE: Within 30 days after service, not counting the day of service

ATTORNEY(S) / SENDER(S): Eileen M. O'Connor
O'Connor Law Group, LLC
221 N. LaSalle Street
Suite 1050
Chicago, IL 60601
312-236-1814

ACTION ITEMS: SOP Papers with Transmittal, via Fed Ex 2 Day , 796511476973
Image SOP
Email Notification, Kimberly Wilburn kimberly.wilburn@sunriseseniorliving.com
Email Notification, Maria Balourdos Maria.Balourdos@sunriseseniorliving.com
Email Notification, Helen Wilson helen.wilson@sunriseseniorliving.com

SIGNED: C T Corporation System
PER: Thad DiBartelo
ADDRESS: 208 South LaSalle Street
Suite 814
Chicago, IL 60604
TELEPHONE: 312-345-4336

2120 - Served 2121 - Served
 2220 - Not Served 2221 - Not Served
 2320 - Served By Mail 2321 - Served By Mail
 2420 - Served By Publication 2421 - Served By Publication
 SUMMONS ALIAS - SUMMONS



(8/01/08) CCG N001

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
 COUNTY DEPARTMENT, Law

DIVISION 133B3

CALENDAR ROOM F

TIME 03:00

No. Medical Malpractice

Dale Jensen, Special Administrator of the Estate
 of Shirley Jensen,

(Name all parties)

v.

Sunrise Senior Living Services, Inc., d/b/a
 Brighton Gardens at Orland Park,

Please Serve Defendant
 Sunrise Senior Living Services
 Inc d/b/a Brighton Gardens at
 Orland Park
 CT Corporation Sytems
 208 South LaSalle Street
 Suite 814
 Chicago, IL 60604

SUMMONS

To each Defendant:

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, and pay the required fee, in the Office of the Clerk of this Court at the following location:

- ☒ Richard J. Daley Center, 50 W. Washington, Room 802, Chicago, Illinois 60602
- | | | |
|--|---|---|
| <input type="checkbox"/> District 2 - Skokie
5600 Old Orchard Rd.
Skokie, IL 60077 | <input type="checkbox"/> District 3 - Rolling Meadows
2121 Euclid
Rolling Meadows, IL 60008 | <input type="checkbox"/> District 4 - Maywood
1500 Maybrook Ave.
Maywood, IL 60153 |
| <input type="checkbox"/> District 5 - Bridgeview
10220 S. 76th Ave.
Bridgeview, IL 60455 | <input type="checkbox"/> District 6 - Markham
16501 S. Kedzie Pkwy.
Markham, IL 60426 | <input type="checkbox"/> Child Support
28 North Clark St., Room 200
Chicago, Illinois 60602 |

You must file within 30 days after service of this Summons, not counting the day of service.

IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE RELIEF REQUESTED IN THE COMPLAINT.

To the officer:

This Summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this Summons shall be returned so endorsed. This Summons may not be served later than 30 days after its date.

NOV 23 2010

Atty. No.: 46573

WITNESS, _____

Name: O'Connor Law Group, LLC

Atty. for: Plaintiff

Address: 221 North LaSalle, Suite 1050

City/State/Zip: Chicago, IL 60601

Telephone: 312-236-1814

Clerk of Court

Date of service: _____
 (To be inserted by officer on copy left with defendant
 or other person)

DOROTHY BROWN
 CLERK OF CIRCUIT COURT

Service by Facsimile Transmission will be accepted at: _____

(Area Code) (Facsimile Telephone Number)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS



2120 - Served
 2220 - Not Served
 2320 - Served By Mail
 2420 - Served By Publication
 SUMMONS

2121 - Served
 2221 - Not Served
 2321 - Served By Mail
 2421 - Served By Publication
 ALIAS - SUMMONS



IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
 COUNTY DEPARTMENT, Law

DIVISION
 10101013383

CALENDAR ROOM F

TIME 0000

No. 10101013383

Dale Jensen, Special Administrator of the Estate
 of Shirley Jensen,

(Name all parties)

v.

Sunrise Senior Living Services, Inc., d/b/a
 Brighton Gardens at Orland Park,

Please Serve Defendant
 Sunrise Senior Living Services
 Inc d/b/a Brighton Gardens at
 Orland Park
 CT Corporation Sytems
 208 South LaSalle Street
 Suite 814
 Chicago, IL 60604

SUMMONS

To each Defendant:

YOU ARE SUMMONED and required to file an answer to the complaint in this case, a copy of which is hereto attached, or otherwise file your appearance, and pay the required fee, in the Office of the Clerk of this Court at the following location:

- ☒ Richard J. Daley Center, 50 W. Washington, Room 802, Chicago, Illinois 60602
- | | | |
|--|---|---|
| <input type="checkbox"/> District 2 - Skokie
5600 Old Orchard Rd.
Skokie, IL 60077 | <input type="checkbox"/> District 3 - Rolling Meadows
2121 Euclid
Rolling Meadows, IL 60008 | <input type="checkbox"/> District 4 - Maywood
1500 Maybrook Ave.
Maywood, IL 60153 |
| <input type="checkbox"/> District 5 - Bridgeview
10220 S. 76th Ave.
Bridgeview, IL 60455 | <input type="checkbox"/> District 6 - Markham
16501 S. Kedzie Pkwy.
Markham, IL 60426 | <input type="checkbox"/> Child Support
28 North Clark St., Room 200
Chicago, Illinois 60602 |

You must file within 30 days after service of this Summons, not counting the day of service.

IF YOU FAIL TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE RELIEF REQUESTED IN THE COMPLAINT.

To the officer:

This Summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this Summons shall be returned so endorsed. This Summons may not be served later than 30 days after its date.

NOV 23 2010

Atty. No.: 46573

WITNESS, _____

Name: O'Connor Law Group, LLC

Atty. for: Plaintiff

Address: 221 North LaSalle, Suite 1050

City/State/Zip: Chicago, IL 60601

Telephone: 312-236-1814

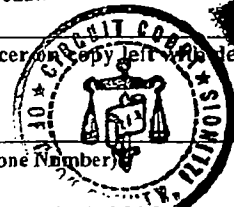
Date of service: _____
 (To be inserted by officer or copy left with defendant or other person)

Service by Facsimile Transmission will be accepted at: _____

(Area Code) (Facsimile Telephone Number)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

DOROTHY BROWN
 Clerk of Court
 CLERK OF CIRCUIT COURT



IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT - LAW DIVISION

DALE JENSEN, Special Administrator
of Estate of SHIRLEY JENSEN,

Plaintiff,

vs.

SUNRISE SENIOR LIVING SERVICES
INC. d/b/a BRIGHTON GARDENS
AT ORLAND PARK,

Defendant.

NO.

2010L013383
CALENDAR/ROOM F
TIME 00:00
Medical Malpractice

PETITION FOR ADMINISTRATION

NOW COMES the law firm of O'CONNOR LAW GROUP, LLC attorneys for SHIRLEY JENSEN, Deceased, and prays that this Honorable Court appoint DALE JENSEN, as Special Administrator for the Estate of DALE JENSEN, Deceased, and in support thereof states as follows:

1. That this matter is brought pursuant to the Wrongful Death Act of the State of Illinois, 740 ILCS § 180/1 et seq.
2. That the Deceased, SHIRLEY JENSEN, died on February 6, 2010 as the result of the negligence of Defendant BRIGHTON GARDENS.
3. At the time of her death, the Decedent, SHIRLEY JENSEN, was eighty-five (85) years of age. The Decedent was a widow and survived by her two children, Petitioner DALE JENSEN and Marlene R. Piekosz.
4. That the only asset in the estate of SHIRLEY JENSEN is this cause of action, and no estate or probate proceedings are presently pending.
5. That the only heirs of SHIRLEY JENSEN are:

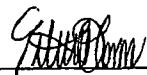
1. Dale Jensen, son; and
2. Marlene R. Piekosz, daughter

6. Ms. Marlene R. Piekosz has waived notice and consented to the issuance of Letters of Administration to DALE JENSEN.

7. DALE JENSEN, the son of the Decedent, has requested to be appointed as Special Administrator of the Estate of SHIRLEY JENSEN, Deceased, for this cause of action.

8. DALE JENSEN resides in Cook County and is over the age of eighteen.

WHEREFORE, Petitioner prays that DALE JENSEN be appointed Special Administrator for the purpose of bringing a lawsuit, captioned "DALE JENSEN, as Special Administrator of the Estate of SHIRLEY JENSEN, vs. SUNRISE SENIOR LIVING SERVICES INC. d/b/a BRIGHTON GARDENS AT ORLAND PARK, Defendant."



Eileen M. O'Connor
One of the Attorney's for Plaintiff

O'CONNOR LAW GROUP, LLC
221 N. LaSalle Street
Suite 1050
Chicago, IL 60601
(312) 236-1814
Attorney Code #46573

263.068857

RES/cjs

25017

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DALE JENSEN, Special Administrator of the)	
Estate of SHIRLEY JENSEN,)	
	)	Civil Action No.
Plaintiff,	)	Circuit Court of Cook County
	)	10 L 013383
v.)	
	)	Honorable Judge:
SUNRISE SENIOR LIVING SERVICES,)	
INC., d/b/a BRIGHTON GARDENS AT	)	Magistrate Judge:
ORLAND PARK,)	
)	
Defendant.)	

ATTESTATION

Robert E. Sidkey, Esq, being first duly sworn on oath, deposes and states as follows:

1. He is the attorney for the defendant/petitioner, SUNRISE SENIOR LIVING SERVICES, INC., in this cause.
2. He has prepared and read the Notice of Removal filed in this cause and has personal knowledge of the facts and matters contained in it; and
3. The facts and allegations contained in the Notice of Removal are true and correct to the best of his knowledge.

Respectfully submitted,

/s/Robert E. Sidkey
PRETZEL & STOUFFER, CHARTERED
One S. Wacker Drive
Suite 2500
Chicago, IL 60606
Telephone: (312) 578-7489
Fax: (312) 346-8242
rsidkey@pretzel-stouffer.com
Attorney for Defendant

CERTIFICATE OF SERVICE

A copy of the **Defendant's Notice of Removal and Attestation** was filed electronically this 28th day of December, 2010. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the court's electronic system.

ATTORNEY FOR PLAINTIFF

Eileen M. O'Connor
O'Connor Law Group, LLC
221 North LaSalle Street, Suite 1050
Chicago, Il. 60601
312-236-1814
312-580-5479 - Fax
lsb@oconnorlawgrp.com

Respectfully submitted,

/s/Robert E. Sidkey
PRETZEL & STOUFFER, CHARTERED
One S. Wacker Drive
Suite 2500
Chicago, IL 60606
Telephone: (312) 578-7489
Fax: (312) 346-8242
rsidkey@pretzel-stouffer.com
Attorney for Defendant